

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. NOR 42125

E.I. DUPONT DE NEMOURS AND COMPANY  
v.  
NORFOLK SOUTHERN RAILWAY COMPANY

Decided: April 11, 2014

This decision tolls the deadline for the filing of petitions for reconsideration.

On March 24, 2014, the Board served the final merits decision (Merits Decision) in this proceeding regarding the challenge by E.I. du Pont de Nemours and Company (DuPont) to the reasonableness of rates established by Norfolk Southern Railway Company (NS). Pursuant to 49 C.F.R. § 1115.3(e), petitions for reconsideration are due within 20 days of a final decision, here, April 14, 2014.

On March 31, 2014, DuPont filed a motion for extension of time to file petitions for reconsideration. DuPont notes that it has discovered technical errors in the Merits Decision, and requests that the Board defer the due date for petitions for reconsideration until 20 days after a corrected decision addressing the technical errors is served. On April 2, 2014, NS filed a reply in support of DuPont's motion.

The Board will toll the deadline for the filing of petitions for reconsideration. DuPont and NS may file a joint petition to correct technical errors by April 14, 2014, in accordance with the procedure set forth in Public Service Co. of Colorado d/b/a Xcel Energy v. Burlington Northern & Santa Fe Railway, 7 S.T.B. 1029, 1029-30 (2004). In a subsequent decision, the Board will set forth its process for correcting technical errors and will establish the deadline for petitions for reconsideration.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The deadline for petitions for reconsideration is tolled pending further Board order.
2. This decision is effective on its service date.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.